

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
CONCERNING
THE ESTABLISHMENT OF THE COUNCIL ON TRADE AND INVESTMENT**

The Government of the United States of America and the Government of the Republic of Indonesia, hereinafter referred to as individually a "Party" and collectively the "Parties" :

- 1) Desiring to enhance the friendship and spirit of cooperation between both countries;
- 2) Desiring to develop further both countries' international trade and economic interrelationship between both Parties on the basis of equality and mutual benefit ;
- 3) Taking into account the membership of both countries in the General Agreement on Tariffs and Trade (GATT)/World Trade Organization (WTO), and noting that this Memorandum of Understanding is without prejudice to the rights and obligations of the Parties under the GATT 1994, together with its agreements, understandings, and other instruments, and; their commitment to implement fully and faithfully the result of the Uruguay Round of Multilateral Trade Negotiations;
- 4) Recognizing the importance of fostering an open and predictable environment for international trade and investment;
- 5) Recognizing the benefits to each Party resulting from increased international trade and investment, and agreeing that trade-distorting investment measures and protectionism could deprive the Parties of such benefits;
- 6) Recognizing the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology and enhancing economic development;
- 7) Recognizing that foreign direct investment confers positive benefits on each Party;
- 8) Recognizing the increased importance of services in their economies and in their bilateral relations;
- 9) Taking into account the need to eliminate non-tariff barriers in order to facilitate greater access to the markets of both countries;

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10) Recognizing the importance of providing adequate and effective protection and enforcement of intellectual property rights, and taking account of the standard of protection established by the Agreement on TRIPs, and in intellectual property right convention;

11) Noting the common objective of both countries to improve workers' welfare and provide for better terms and conditions of employment;

12) Recognizing the desirability of resolving trade and investment problems as expeditiously as possible;

13) Considering that it would be in their mutual interest to establish a bilateral mechanism between the Parties for encouraging the liberalization and promotion of trade, investment and science and technology flows between them, as well as for consulting on bilateral trade and investment issues.

To this end, the Parties agree as follows :

ARTICLE ONE

In accordance with their prevailing laws and regulations, the Parties agree to establish a Council on Trade and Investment.

ARTICLE TWO

1) The Council shall be composed of representatives of both Parties. The Indonesia's side will be chaired by Department of Industry and Trade; and the United States of America's side will be chaired by the Office of the United States Trade Representative. The Council will include, depending on the agenda, other ministries and agencies.

2) The Council may establish ad hoc working groups that may meet concurrently or separately in order to facilitate its work.

ARTICLE THREE

The Council will meet at such times as agreed by the two Parties:

ARTICLE FOUR

The Parties will seek the advice of the private sector in their respective countries on matters related to the work of the Council. Private sector representatives may be asked to participate in Council meetings whenever both Parties agree it is appropriate. . .

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ARTICLE FIVE

The objectives of the Council are as follows :

- 1) To monitor trade and investment relations, and to identify opportunities for expanding trade and investment.
- 2) To hold consultations on specific trade and investment matters of interest to the Parties and to negotiate agreements where appropriate.
- 3) To identify and work toward the removal of impediments to trade and investment flows.
- 4) To discuss other areas as mutually agreed by both parties

ARTICLE SIX

- 1) Either Party may raise for consultation any trade or investment matter between the Parties. Requests for consultation shall be accompanied by a written explanation of the subject to be discussed and consultation shall be held within 30 days of the request, unless the requesting Party agrees to a later date.
- 2) Consultations will take place initially in the country whose measure or practice is the subject of discussion unless both Parties agree otherwise.
- 3) This Article shall be without prejudice to the rights of either Party under their prevailing laws and regulations which apply in each country, the WTO and its related agreements or under any other instruments to which both countries are Parties.

ARTICLE SEVEN

In the event that consultations involve a dispute concerning a trade and investment measure or practice, the Parties shall attempt to resolve the dispute at the working level. At anytime, either Party may request the issue be reviewed at a higher level.

ARTICLE EIGHT

The Council will commence the work immediately by considering those included subjects in the "Action Agenda" of trade and investment issues set forth as Annex to this Agreement. *OK*

ARTICLE NINE

This Memorandum of Understanding may be added to or amended at any time by mutual consent of the Parties

ARTICLE TEN

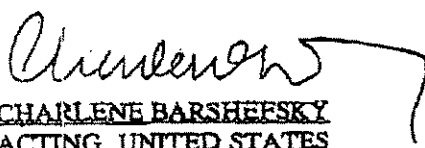
1) This Memorandum of Understanding shall enter into force on the date of its signature by both Parties and shall remain in force unless terminated by mutual consent of the Parties or by either Party upon 180 days written notice to the other Party.

2) Annex shall constitute an integral part of this Memorandum of Understanding.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Memorandum of Understanding.

DONE at Christchurch this sixteenth day of July 1996, in two original copies in the English Language, both of them being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA


CHARLENE BARSHEFSKY
ACTING UNITED STATES
TRADE REPRESENTATIVE

FOR THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA


T. ARIWIBOWO
MINISTER OF INDUSTRY AND TRADE

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ANNEX

IMMEDIATE ACTION AGENDA

In relation to the agreement concerning the creation of a United States-Indonesia Council on Trade and Investment, setting forth principles and procedures for consultations regarding trade and investment issues, the United States and Indonesia confirm the following:

- 1) They are prepared to commence the work of the Council promptly with an "Immediate Action Agenda" composed of the following topics :

- A) Bilateral Issues

1. For the Government of the United States of America:

- a. Indonesia National Car policy;
 - b. Intellectual Property Rights Protection: Legal, enforcement, and technical assistance issues, including the areas of:
 - i. Software piracy;
 - ii. Protection of well-known trademarks;
 - c. Industrial Relations developments, especially implementation of November 1994 Comprehensive Program on Industrial Relations.

2. For the Government of the Republic of Indonesia

- a. textile rules of origin;
 - b. GSP;
 - c. plywood;
 - d. shrimp and cocoa / FDA problems;
 - e. de minimis suppliers / anti-dumping cases
 - f. shrimp certification.

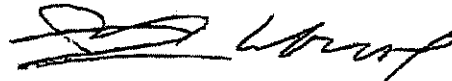
- B) US-ASEAN Alliance for Mutual Growth: Bilateral Implementation:
1. Distribution sector;
 2. Other AMG programs.
- C) Regional Trade Issues:
1. AFTA and other ASEAN developments;
 2. APEC issues, including initial action plans.
- D) WTO Issues:
1. Implementation of Uruguay Rounds commitments;
 2. Ongoing WTO negotiations, including basic telecommunications;
 3. New WTO initiatives, e.g., ITA and interim procurement agreement.
- 2) The inclusion of topics on this "Immediate Action Agenda" does not limit the ability of either Party to raise for consultations under Article 6 of the Agreement any other issue relating to trade or investment which might arise in the near term and requires immediate bilateral consultations, nor prejudice the rising of new issues in the future.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA



CHARLENE BARSHEFSKY
ACTING UNITED STATES
TRADE REPRESENTATIVE

FOR THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA



T. ARIWIBOWO
MINISTER OF INDUSTRY AND TRADE

UNDERSTANDING

Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning a Framework of Principles and Procedures and the Establishment of a Consultative Mechanism for the Expansion of Trade and Investment Flows Between the Two Countries.

I. Statement of Principles

The Government of the United States of America and the Government of the Republic of the Philippines:

A. Desiring to enhance even further the close relationship existing between the two countries;

B. Taking into account the Philippines' present status as a developing country and the rights accorded to as well as the obligations undertaken by it under the General Agreement on Tariffs and Trade (GATT), its codes, and instruments;


C. Affirming the importance of promoting a more open, transparent, and predictable environment for international trade and investment;

D. Recognizing also the benefits from increased international trade, the negative effect of protectionism on countries' well-being, and the increasing role of trade and investment in goods and services in our economies;

E. Recognizing that eliminating barriers to trade in goods and services facilitates economic growth and enhances international competitiveness and affirming their commitment, in line with commitments undertaken upon the completion of the Uruguay Round, to remove such barriers so that trade flows are determined by market forces;

F. Recognizing that increasing private investment, both domestic and foreign, is essential to economic growth and to attain national economic and development goals and objectives, and should be enhanced by policies aimed at removing market distortions to the maximum extent possible;

G. Recognizing the importance of providing adequate protection for and effective enforcement of intellectual property rights so as to encourage technological development and investment, and affirming their commitment to provide, in the legal and regulatory framework of each country, adequate protection for all forms of intellectual property rights and their commitment to vigorous enforcement of such improved protection;



H. Recognizing the significance to our economic welfare of working toward the observance and promotion of mutually-recognized workers' rights;

I. Affirming the consistency of this Understanding with the GATT, other relevant international agreements, and the objectives of the Uruguay Round of Multilateral Trade Negotiations and taking into account commitments to be undertaken by both countries upon completion of the Uruguay Round;

J. Desiring that this Understanding reinforce and be reinforced by improvements to the international trading system through the successful completion of the Uruguay Round;

K. Reaffirming the objectives and plan of action of the Shultz-Concepcion Joint Statement issued on September 17, 1986 to expand trade and investment flows;

L. Recognizing the importance of continuing dialogue and frequent consultations on trade and investment matters in promoting constructive and mutually beneficial resolution of issues;

Intend to abide by the preceding principles of trade and investment and hereby establish the following consultative mechanism:

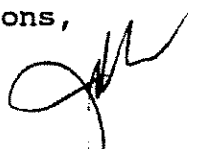
II. Consultative Mechanism

A. Either party may request at any time consultations with the other party on any matter concerning bilateral trade and investment relations, including trade and investment opportunities and problems. Any such consultations shall be without prejudice to provisions of domestic law or of the GATT, its codes, or other instruments to which both are a party.

B. Requests for consultations shall be accompanied by a written explanation of the subject to be discussed, and consultations shall be held within 30 days of the request, unless the requesting party agrees to a later date. Consultations will take place initially in the country whose measure or practice is the subject of discussion.

C. In the event that consultations involve a dispute concerning a trade or investment measure or practice or other matters having an adverse effect on trade and investment flows, every effort will be made to resolve the dispute at the working level. Either party may request review of the issue at a higher level.

D. If resolution is not reached within 30 days following the first meeting, either party may seek other means of settlement consistent with its domestic law and international obligations,




including referral of the dispute to dispute settlement procedures of the GATT, its codes, or instruments created as a result of the Uruguay Round to which both countries are a party. If a measure is referred to the GATT, its codes, or other instruments, consultations under this Understanding shall be considered to have constituted consultations under Article XXIII:1 of the GATT or any preliminary bilateral consultations required as part of dispute settlement procedures of a code or instrument.

E. Consultations should be held annually at least at the Subcabinet level to review developments under this Understanding and adherence to the Principles enumerated above, to consider additional measures to expand trade and investment flows, and to review the status of the bilateral trade and investment relationship. The Subcabinet Special Working Group established under the September 17, 1986 Joint Statement on Trade and Investment is therefore abolished by this Understanding.

F. All consultations under this Understanding will be jointly headed by the Office of the United States Trade Representative (USTR) on the part of the United States and by the Department of Trade and Industry (DTI) on the part of the Philippines. DTI and USTR shall be assisted by officials of other governmental entities as circumstances require and may delegate their authority when appropriate.

Done in Washington, D.C., this ninth day of November, nineteen hundred eighty-nine, in two original copies in the English language.

By


For the United States
of America

By


For the Republic of
the Philippines

**TRADE AND INVESTMENT
FRAMEWORK AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF MALAYSIA**

The Government of the United States of America and the Government of Malaysia, (hereinafter referred to individually as a "Party" and collectively as the "Parties");

Desiring to enhance the friendship and spirit of cooperation between both countries;

Desiring to develop further the trade and investment existing between the two countries for economic betterment;

Desiring further to strengthen private sector contacts between the two countries;

Recognizing that the liberalisation of trade and investment promotes economic growth and development, and the importance of fostering an open and predictable environment for international trade and investment;

Recognizing the need to ensure that investment, both domestic and foreign, fosters growth, creates jobs, expands trade, improves technology and enhances economic development;

Recognizing that the effective protection and enforcement of intellectual property rights (IPR) encourages technological innovation and investment and encouraging membership in and adherence to IPR conventions;

Desiring to ensure that trade and environmental policies are mutually supportive in the furtherance of sustainable development;

Recognizing the importance of providing adequate and effective protection and enforcement of worker rights in accordance with each nation's own labor laws; and of improving the observance of internationally accepted core labor standards;

Reaffirming their membership in and strong support for the World Trade Organization (WTO);

Desiring that this Framework Agreement reinforce the multilateral trading system; and

Recognizing the contribution of the Memorandum of Understanding Between the Government of the United States of America and the Governments of the Association of Southeast Asian Nations (ASEAN) member countries, signed at Washington D.C., on 21 December 1990, to increase the flows of trade and investment between ASEAN countries and the United States of America;

Hereby agrees as follows:

ARTICLE ONE

The Parties agree to cooperate, coordinate, and consider ways, as appropriate, to enhance and liberalize trade and investment between the two countries at the bilateral, regional and multilateral levels; including, as appropriate, to enhance their efforts to advance the Doha Development Agenda. Such cooperation and coordination should occur in the Joint Council established under Article Two of this Framework Agreement and in the various bodies of the WTO.

ARTICLE TWO

The Parties shall, in accordance with their respective prevailing laws and regulations, establish a Joint Council on Trade and Investment.

ARTICLE THREE

1. The Joint Council shall be comprised of representatives of both Parties. All meetings of the Joint Council shall be jointly chaired by the Minister of International Trade and Industry on behalf of the Government of Malaysia and the United States Trade Representative (USTR) on behalf of the Government of the United States of America. The chairs may delegate their authority to their respective senior officials to conduct a meeting of the Joint Council. The USTR and the Minister of International Trade and Industry may be assisted by officials from other government agencies, as necessary; and
2. The Joint Council may establish ad hoc working groups that may meet concurrently or separately to facilitate its work.

ARTICLE FOUR

The Joint Council shall meet at least once a year and at such times to be mutually agreed upon, for the purpose of:

1. Overseeing the implementation of this Framework Agreement;
2. Reviewing the bilateral trade and investment relationship and identifying opportunities to expand and liberalize trade and investment;
3. Implementing the work programme in the areas outlined in the Annex and periodic reviews of progress in the work programme;
4. Organising consultations on specific trade or investment issues; and

5. Resolving amicably any issues that might arise from implementing the provisions of this Framework Agreement.

ARTICLE FIVE

1. The Joint Council shall initiate consultations with a view to implementing the work programme for the mutual benefit of the Parties on any of the areas covered in Part 1 of the Annex; and

2. At an appropriate time, the Minister of International Trade and Industry of the Government of Malaysia and the United States Trade Representative may decide to proceed to Part 2 of the Annex.

ARTICLE SIX

This Framework Agreement is without prejudice to:

- (i) the domestic laws and regulations of either Party; or
- (ii) the rights and obligations of either Party under any other international agreement to which it is a Party.

ARTICLE SEVEN

This Framework Agreement may be amended at any time by written mutual consent of the Parties.

ARTICLE EIGHT

This Framework Agreement is effective from the date of signature by both Parties and shall remain in effect unless terminated by written mutual consent of the Parties or by either Party upon six (6) months written notice to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Framework Agreement.

Done in English in duplicate at Washington, D.C. on May 10, 2004

For the Government of
the United States of America

For the Government of
Malaysia

ANNEX

AREAS of the WORK PROGRAMME

Part 1

Initiation of consultations in the following areas:

- (1) Facilitation and liberalisation of trade and investment, including non-tariff barriers;
- (2) Promotion and protection of investment;
- (3) Protection of intellectual property;
- (4) Regulatory issues affecting trade and investment policies;
- (5) Cooperation in promotion of bilateral trade;
- (6) Trade in services, including financial services;
- (7) Information and communications technology;
- (8) Biotechnology;
- (9) Tourism;
- (10) Trade-related capacity building and technical cooperation;
- (11) Enhancing the participation of SMEs in trade and investment;
- (12) WTO and APEC coordination; and
- (13) Other areas of economic cooperation to be mutually agreed upon.

Part 2

The Parties agree to examine the most effective means of reducing trade and investment barriers between them, including examination and consultations on the elements of a possible free trade agreement.

**TRADE AND INVESTMENT
FRAMEWORK AGREEMENT FRAMEWORK AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF BRUNEI DARUSSALAM**

The Government of the United States of America and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam, individually a "Party" and collectively the "Parties";

Desiring to strengthen further the bonds of friendship and the spirit of cooperation that has existed between the Parties since the signing of the 1850 Treaty of Peace, Friendship, Commerce, and Navigation;

Reaffirming their membership in and strong support for the World Trade Organization (WTO) and desiring that this Framework Agreement reinforce the multilateral trading system;

Desiring to promote further the trade and investment existing between the two countries;

Recognizing that the liberalization of trade and investment promotes economic growth and development;

Recognizing the importance of fostering an open and predictable environment for international trade and investment;

Recognizing the essential role of investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology and enhancing economic development;

Encouraging membership in and adherence to intellectual property rights (IPR) conventions, and recognizing that the effective protection and enforcement of IPR encourages technological innovation and investment;

Reaffirming their commitment in the Doha Declaration that expansion of trade and investment and the promotion of sustainable development and protection of the environment can and must be mutually supportive;

Recognizing the importance of providing adequate and effective protection and enforcement of worker rights in accordance with each nation's own labor laws and of the observance of internationally accepted core labor standards;

Desiring to encourage and facilitate private sector contacts between the two countries;

Recognizing the contribution of the Memorandum of Understanding Between the Government of the United States of America and the Governments of ASEAN member countries, signed at Washington D.C. on 21 December 1990, to increase the flows of trade and investment between ASEAN countries and the United States of America; and

Recognizing APEC's contribution to trade and investment liberalization and facilitation and to economic and technical cooperation.

To this end, the parties agree as follows:

ARTICLE ONE

The Parties agree to cooperate, coordinate, and consider ways, as appropriate, to enhance and liberalize trade and investment between the two countries at the bilateral, regional and multilateral levels; including, as appropriate, their efforts to advance the Doha Development Agenda. Such cooperation and coordination should occur in the Joint Council created by this Framework Agreement, and in the various bodies of the WTO.

ARTICLE TWO

The Parties shall undertake the work program, set out in the Annex, as follows:

1. the Parties agree to initiate consultations on the areas of cooperation covered in Part 1 of the Annex and to proceed with the implementation of the work program; and
2. at the appropriate time, the United States Trade Representative and the Minister of Industry and Primary Resources of the Government of his Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam may decide to proceed to Part 2 of the Annex.

ARTICLE THREE

In accordance with their respective prevailing laws and regulations, the Parties agree to establish a Joint Council on Trade and Investment.

ARTICLE FOUR

The Joint Council:

1. shall be composed of representatives of both Parties. All meetings of the Joint Council shall be jointly chaired by the United States Trade Representative (USTR) on behalf of the Government of the United States of America and by the Minister of Industry and Primary Resources on behalf of the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam. The chairs may delegate their authority to their respective senior

officials to conduct a meeting of the Joint Council. The USTR and the Minister of Industry and Primary Resources will be assisted by officials from other government agencies, as necessary; and

2. may establish ad hoc working groups that may meet concurrently or separately to facilitate its work.

ARTICLE FIVE

The Joint Council will meet at least once a year and at such times agreed by both Parties to:

1. oversee the implementation of this agreement;
2. review the bilateral trade and investment relationship and identify opportunities to expand and liberalize trade and investment;
3. undertake the work program outlined in the Annex and periodic reviews of progress;
4. organize consultations on specific trade or investment issues; and
5. resolve amicably any issues that might arise from implementing the provisions of this agreement.

ARTICLE SIX

This Agreement is without prejudice to the domestic laws and regulations of either Party or the rights and obligations of either Party under any other international agreement to which it is a party.

ARTICLE SEVEN

This Agreement may be amended at any time by written mutual consent of the Parties.

ARTICLE EIGHT

This Agreement is effective from the date of signature by both Parties and shall remain in effect unless terminated by written mutual consent of the Parties or by either Party upon six (6) months written notice to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Agreement, authentic in the English language.

DONE at Washington, D.C. this 16th day of December 2002

for the Government of
the United States of America

for the Government of
His Majesty the Sultan and
Yang Di-Pertuan
of Brunei Darussalam

Annex

WORK PROGRAM

Part 1

The Parties agree to initiate consultations on the following areas:

- (1) Facilitation and liberalization of trade and investment, including non-tariff barriers;
- (2) Promotion and protection of investment;
- (3) Protection of intellectual property;
- (4) Regulatory issues affecting trade and investment policies;
- (5) Information and Communications Technology;
- (6) Biotechnology;
- (7) Tourism;
- (8) Trade and Capacity Building;
- (9) Enhancing the participation of SMEs in trade and investment;
- (10) WTO/APEC/WCO coordination; and
- (11) Other areas of economic cooperation to be mutually agreed upon.

Part 2

The Parties agree to examine the most effective means of reducing trade and investment barriers between them, including consultations on the elements of a possible free trade agreement.

**TRADE AND INVESTMENT
FRAMEWORK AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND
THE KINGDOM OF THAILAND**

The Government of the United States and the Government of the Kingdom of Thailand (individually a “Party” and collectively the “Parties”):

1. Desiring to strengthen further the bonds of friendship and cooperation that has existed between the United States and the Kingdom of Thailand for over 150 years;
2. Noting the valuable contributions made to mutual economic growth and development by the 1966 Treaty of Amity and Economic Relations between the United States of America and the Kingdom of Thailand;
3. Reaffirming their membership in and strong support for the World Trade Organization (WTO);
4. Desiring that this Framework Agreement reinforce the multilateral trading system by strengthening efforts to complete successfully the Doha Development Agenda;
5. Stressing that the liberalization of trade and investment promotes economic growth and development;
6. Recognizing that the effective protection of intellectual property rights encourages technological innovation and investment;
7. Reaffirming our commitment in the Doha Declaration that expansion of trade and investment and the promotion of sustainable development and protection of the environment can and must be mutually supportive;
8. Recognizing the affirmation of internationally recognized core labor standards in the Doha Declaration;
9. Recognizing APEC’s contribution to trade and investment liberalization and to economic and technical cooperation;

To this end, the Parties agree as follows.

ARTICLE ONE

The Parties agree to cooperate and coordinate, as appropriate, to liberalize trade and investment relations between the two countries at the bilateral, regional and multilateral levels; including, as appropriate, their efforts to advance the Doha Development Agenda. Such coordination should occur in the Joint Council created by this Framework Agreement, and in the various bodies of the WTO.

ARTICLE TWO

The parties will consider ways to liberalize trade and investment, and undertake a work program, set out in the Annex, as follows.

(1) The Parties agree to initiate consultations on the areas of cooperation covered in Part 1 of the Annex and to proceed with the implementation of the work program.

(2) At the appropriate time, the United States Trade Representative and the Minister of Commerce of the Kingdom of Thailand may decide to proceed to Part 2 of the Annex.

ARTICLE THREE

In accordance with their prevailing laws and regulations, the Parties agree to establish a Joint Council on Trade and Investment.

ARTICLE FOUR

The Joint Council:

(1) will be composed of representatives of both Parties. All meetings of the Joint Council will be jointly chaired by the United States Trade Representative (USTR) on behalf of the United States of America and by the Minister of Commerce on behalf of the Kingdom of Thailand. The chairs may delegate their authority to their respective senior officials to conduct a meeting of the Joint Council. The USTR and the Ministry of Commerce may be assisted by officials from other government agencies as circumstances require.

(2) may establish ad hoc working groups that may meet concurrently or separately to facilitate its work.

ARTICLE FIVE

The Joint Council shall meet regularly to:

- (1) oversee the implementation of this agreement to liberalize trade and investment.
- (2) review the bilateral trade and investment relationship and identify opportunities to expand trade and investment;
- (3) undertake the work program outlined in the Annex and periodic reviews of progress; and
- (4) organize consultations on specific trade or investment issues;

ARTICLE SIX

This Agreement is without prejudice to the rights and obligations of the Parties under their domestic law or any other international instruments to which either country is a Party.

ARTICLE SEVEN

This Agreement may be added to or amended at any time by written mutual consent of the Parties.

ARTICLE EIGHT

This Agreement is effective from the date of signature by both Parties and shall remain in effect unless terminated by written mutual consent of the Parties or by either Party upon six months written notice to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Agreement, authentic in the English language.

DONE at _____ this ____ day of _____ 2002.

For the Government of
the United States of America

For the Government of
the Kingdom of Thailand

Annex

WORK PROGRAM

Part 1

The Parties agree to initiate consultations on the following areas:

- Facilitation and liberalization of trade and investment;
- Protection of intellectual property;
- Regulatory issues affecting trade policy and investment;
- Information and Communications Technology and Biotechnology policies;
- Trade and technical capacity building;
- WTO/APEC Coordination; and
- Other areas of economic cooperation to be agreed upon.

Part 2

The Parties agree to examine the most effective means of reducing trade and investment barriers between them, including consultations on the elements of a possible free trade agreement.